

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PANCHAYATS – Mahaboobnagar District – Revision Petition filed by Smt.G. Padma,w/o Prabu Lingam R/o Balanagar (V) & (M) Mahaboobnagar District – Request to set aside orders of the District Panchayat Officer & Panchayat Secretary – Revision petition – Rejected & dismissed – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (PTS.IV) DEPARTMENT

G.O.Rt.No. 1250

Dated: 25 -08-2009
Read the following:-

- 1) R.P. filed by Smt.G. Padma, w/o Prabu Lingam R/o Balanagar (V) & (M) Mahabubnagar Dist.dt. Ni.
- 2) Govt. Memo.No.6336 /Pts.IV/A1/08-1,dt.17.03.2008.
- 3) From the District Panchayat Officer, Mahabubnagar, Lr.No.A3/1522/07, dt.23.4.08.
- 4) Govt. Memo.No.6336 /Pts.IV/A1/08-1,dt.14.05.2008.
- 5) From the District Panchayat Officer, Mahabubnagar, Lr.No.A3/1522/07, dt.04.07.08.
- 6) Govt. Memo.No.6336 /Pts.IV/A1/08-1,dt.23.10.2008.
- 7) From the District Panchayat Officer, Mahabubnagar, Lr.No.A3/1522/07, dt.13-11-2008.
- 8) Govt. Memo.No.6336 /Pts.IV/A1/08-1,dt.20.02.2009.
- 9) From the District Panchayat Officer, Mahabubnagar, Lr.No.A3/1522/07, dt.17-03-2009.

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ORDER:

1) In the reference 1st read above, Smt. G. Padma, w/o Prabu Lingam R/o Balanagar village & Mandal Mahaboobnagar District has filed a Revision Petition before the Government and requested to direct the District Panchayat Officer,Mahaboobnagar to legalize the permissions by collecting necessary amount and set aside the orders of District Panchayat Officer and Panchayat Secretary, Balanagar Village & Mandal, Mahaboobnagar District.

2) In the reference 2nd read above, the District Collector, Mahaboobnagar was requested to send a detailed report to the Government, to take further action in the matter.

3) In the reference 3rd read above, the District Panchayat Officer, Mahaboobnagar, has informed that certain ward members of Gram Panchayat Balanagar have filed complaint petition on 23.7.07 stating that Smt. G.Padma W/o Prabhulingam is constructing house in Sy.No.234 without approval of the layout from Director of Town & Country Planning, Hyderabad and they have stated that Smt.G. Padma encroached the road by constructing house and requested to stop the construction. Accordingly, the District Panchayat Officer, Mahaboobnagar has issued stay orders to stop the construction vide proceedings No.Dt.23.7.2007 and directed the Panchayat Secretary/Sarpanch to submit the connected records. He has further stated that the Extension Officer, Balanagar has conducted spot inspection and the report of the Extension Officer, is not clear, The District Panchayat Officer, Mahaboobnagar has visited the Gram Panchayat on 5.10.07 and conducted the spot inspection and informed that Smt.G. Padma has constructed the house in Sy.No.234 and the layout in Sy.No.234 was not approved by the Director of Town and Country

Planning, Hyderabad the roads were also not made as per G.O.Ms.No.67, PR&RD (Pts.IV) Department dt.26.2.2002. The petitioner has encroached 12 feet road and construction the house. The construction is found to be illegal. The Sarpanch Gram Panchayat Balanagar was directed to cancel the permission issued by the Gram Panchayat Balanagar and protect the 10% land in Sy.No.234. The District Panchayat Officer, Mahaboobnagar has therefore requested the Government to dismiss the Revision Petition filed by Smt. Padma w/o Prabhulingam R/o Balanagar as there are no valid grounds in the Revision Petition.

4) The case was posted for hearing on 30-6-2009 & 20-07-2009. The District Panchayat Officer, Sarpanch and Petitioner have attended the hearing case.

5) After careful examination of the records and report of the District Panchayat Officer, Mahaboobnagar, Government find that it is clear from the material available that Smt. G. Padma under a registered document No.1267/2006, dt.16-02-2006 purchased the Southern side road portion to her existing building in Plot No.23 in Survey No.234. The road portion purchased by her is 55 squire yards. It came to light only after she dug pits for raising pillars for construction of structure. The Gram Panchayat granted the permission without verification of the document of plot No.23, which clearly shows the existence of the road on its Southern side. Since it was irregularly granted, Smt. G. Padma will not get any right. It is not possible for regularization.

6) Therefore, in the interest of public and since the act of illegal occupation of the road can not be regularized, the request of Smt. G. Padma, w/o Prabhulingam, R/o Balanagar, Mahaboobnagar District is rejected and consequently the appeal is dismissed.

7) The District Collector, Mahaboobnagar, is therefore, requested to take action urgently for restoring the road for public conveyance duly evicting the encroacher and for taking steps for cancelling the illegal registration of the Panchayat road.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C.SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To,

The District Collector (Pws), Mahaboobnagar.

Copy to:

The Commissioner, Panchayat Raj & Rural Employment,
Hyderabad.

The District Panchayat Officer, Mahaboobnagar.

P.S to Hon'ble M(PR)

The PR&RD (Genl) Department.

Smt. G. Padma, w/o Prabhulingam, R/o Balanagar, village & Mandal,
Mahaboobnagar District.

Sf/Sc.

// forwarded :: by order //

Section Officer